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OFFICE OF PETITIONS

In re Application of
CARSON
Application No. 09/712,093
Filed: November 14, 2000
Attorney Docket No. 27600/G056A

DECISION
ON PETITION

This is a decision on a petition under 37 CFR 1.137(b), filed June 16, 2006 and resubmitted on August 11, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to submit the issue fee in a timely manner in reply to the Notice of Allowance and Fee(s) Due, mailed March 15, 2006, which set a statutory period for reply of three (3) months. Accordingly, the application became abandoned on June 16, 2006.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that the reply in the form of (1) the issue fee; (2) the petition fee; and (3) the statement of unintentional delay have been received. Accordingly, the issue fee payment is accepted as having been unintentionally delayed.

37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Since the statement appearing in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the required statement. Petitioner must notify the Office if this is **not** a correct reading of the statement appearing in the petition.

In order to request or take action in a patent matter, the assignee must establish its ownership of the patent to the satisfaction of the Director. In this regard, applicant must submit a Statement under 37 CFR 3.73(b). The power of attorney filed on September 20, 2004 does not include this statement and was improperly accepted. Additionally while a courtesy copy is being sent to the below address, which varies slightly from the address of record, correspondence will continue to be sent to the above address of record until properly notified.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-4787.

The application matter is being forwarded to Office of Patent Publication.

A handwritten signature in cursive script, appearing to read "Denise Pothier".

Denise Pothier
Petitions Examiner
Office of Petitions

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